

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,
v.
ANTON PERAIRE-BUENO, and JAMES
PERAIRE-BUENO,
Defendants.

Case No.: 1:24-cr-00293-JGLC

ORAL ARGUMENT REQUESTED

**DEFENDANTS' NOTICE OF JOINT
MOTIONS TO DISMISS THE SUPERSEDING INDICTMENT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and materials cited therein, Defendants Anton Peraire-Bueno and James Peraire-Bueno will jointly move this Court before the Honorable Jessica G.L. Clarke, in Room 11B of the United States District Court, 500 Pearl Street, New York, New York, 10007, for an order dismissing the Superseding Indictment. Specifically, the Peraire-Buenos will move the Court to dismiss the Superseding Indictment on the following grounds:

- (1) Motion to dismiss Counts One, Two, and Three of the Superseding Indictment for the reasons set forth in the motions to dismiss the original Indictment. *See* ECF No. 49.
- (2) Motion to dismiss Count Four of the Superseding Indictment: (a) for failure to allege the essential elements of an offense of conspiracy to violate 18 U.S.C. § 2315 as required by the Fifth and Sixth Amendments to the United States Constitution and Federal Rules of Criminal Procedure 7(c) and 12(b)(3)(B)(v); (b) as unconstitutionally vague in violation of the Fifth and Sixth Amendments to the United States Constitution;

and (c) for failure to provide fair notice under the Fifth Amendment to the United States Constitution.

PLEASE TAKE FURTHER NOTICE, that pursuant to the briefing schedule set forth at the April 7, 2025 Arraignment, opposition papers, if any, shall be served by May 12, 2025, and reply papers, if any, shall be served by May 19, 2025.

The Peraire-Buenos respectfully request oral argument on these motions.

Date: April 14, 2025

Respectfully submitted,

By: /s/ Katherine Trefz

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CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2025, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record in this matter who are on the CM/ECF system.

/s/ Katherine Trefz
Katherine Trefz